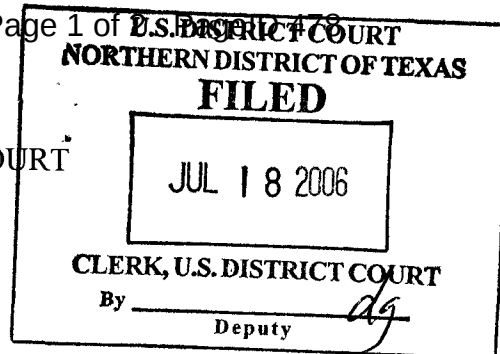


ORIGINAL

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION



MARVIN L. BROWN,

Plaintiff,

v.

TEXAS BOARD OF PARDONS AND
PAROLES, et. al.,

Defendants.

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Civil Action No. 3:06-CV-104-L

ORDER

On April 7, 2006, the court issued a Standing Order of Reference, referring the case to United States Magistrate Judge Wm. F. Sanderson, Jr., for pretrial management.¹ On June 16, 2006, an Order, Report and Recommendation of the United States Magistrate Judge was filed. Plaintiff Marvin L. Brown ("Plaintiff" or "Brown") filed Plaintiff's Response and Request for Further Clarity of the Order, Report and Recommendation of the United States Magistrate Judge on June 21, 2006.

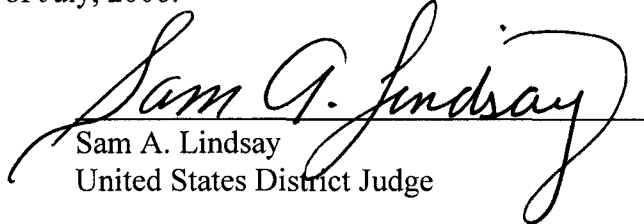
In his Order, Report and Recommendation, the Magistrate Judge recommends that the court order Brown to effect service on all unserved Defendants within 90 days of its order, and that if service is not effected, that Plaintiff's complaint or amended complaint as to any unserved Defendant be dismissed without prejudice. The court **accepts** the recommendation contained in the Order, Report and Recommendation.² Plaintiff Marvin L. Brown **shall** effect service on all unserved

¹The court notes that there is a notation on the docket sheet reflecting that Magistrate Judge Sanderson is no longer assigned to the case. See ECF # 56. This notation appears to be a docketing error, as the court has not vacated its Standing Order of Reference, issued on April 7, 2006.

²The Magistrate Judge could have ordered Plaintiff to effect service on all unserved Defendants within the prescribed amount of time, and informed Plaintiff that, if service was not effected within the prescribed time period, he would recommend to the district court that Plaintiff's claims against any unserved Defendants be dismissed without prejudice pursuant to Fed. R. Civ. P. 4(m).

Defendants **no later than Wednesday, October 18, 2006**. Failure of Brown to effect service on such Defendants within the time specified, or to show good cause for failure to effect service within such time period, **will result** in dismissal without prejudice as to the applicable unserved Defendants pursuant to Fed. R. Civ. P. 4(m).

It is so ordered this 18th day of July, 2006.


Sam A. Lindsay
United States District Judge